

REMARKS

Currently, claims 69, 70, 72, and 74 are pending and under examination in this application. By this Amendment, a new Sequence Listing is provided as a replacement for the one filed on 7 November 2008. Support for the new Sequence Listing comes from the Sequence Listing originally filed with the application. Accordingly, no new matter is added by this Amendment.

I. *Objection To The Sequence Listing*

The Office objects to the Sequence Listing, asserting that there are numerous errors. The Office indicates that the .txt file submitted on 7 November 2008 was improperly formatted. By this Amendment, a new Sequence Listing is submitted. The .txt file was generated directly from the USPTO-developed PatentIn software, and thus should be acceptable.

Applicants note that they were unable to verify any of the errors noted by the Office in the CRF problem report except that the .txt document in the USPTO file contained formatting errors relating to numbering of amino acids or nucleotides. Applicants submit that the attached Sequence Listing was generated by the USPTO-developed software, and was validated using that software prior to submission. Therefore, no errors should be present in the submitted file.

Applicants submit that the new Sequence Listing is identical in its disclosure of sequences to that of the originally-filed Sequence Listing, and thus does not introduce any new matter. In view of the Sequence Listing filed herewith, Applicants requests that the Office withdraw the objection to the Sequence Listing.

Applicants note that, because this paper is being filed electronically, a PDF ("paper") copy of the Sequence Listing is not necessary and is not being filed, as per USPTO examination policy.

## II. *Conclusion*

In view of the foregoing amendments and remarks, Applicants submit that this application is in condition for allowance. If the Office believes anything further is necessary to place this application in even better condition for allowance, Applicants request that the undersigned representative be contacted at the telephone number listed below to discuss the remaining issues.

Please grant any extensions of time required to enter this paper and charge any required fees to Deposit Account No. 50-3740.

Respectfully submitted,  
Holly HOGREFE et al.



Date: 28 January 2009

By: \_\_\_\_\_  
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Attachments:  
Sequence Listing (.txt file)  
Statement in Support